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Filed

FEB 26 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALY TAMBOURA,

Plaintiff,

vs.

ROBERT L. AYERS, Warden, San
Quentin State Prison

Defendant.

C08 01143 JF

CASE NO. _____

PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

I, Aly Tamboura, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ☒ No ☐

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: 38.40 Net: 17.30

Employer: California Department of Corrections

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.)

4 SubDynamic Locating Services
 5 _____
 6 _____

7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

9 a. Business, Profession or Yes ☐ No ☒
 10 self employment

11 b. Income from stocks, bonds, Yes ☐ No ☒
 12 or royalties?

13 c. Rent payments? Yes ☐ No ☒

14 d. Pensions, annuities, or Yes ☐ No ☒
 15 life insurance payments?

16 e. Federal or State welfare payments, Yes ☐ No ☒
 17 Social Security or other govern-
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21 _____
 22 _____

23 3. Are you married? Yes ☐ No ☒

24 Spouse's Full Name: _____

25 Spouse's Place of Employment: _____

26 Spouse's Monthly Salary, Wages or Income: _____

27 Gross \$ _____ Net \$ _____

28 4. a. List amount you contribute to your spouse's support: \$ _____

- b. List the persons other than your spouse who are dependent upon you for support and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).

5. Do you own or are you buying a home?

Yes ☐ No ☒

Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

6. Do you own an automobile?

Yes ☐ No ☒

Make _____ Year _____ Model _____

Is it financed? Yes ☐ No ☐ If so, Total due: \$ _____

Monthly Payment: \$ _____

7. Do you have a bank account? Yes ☐ No ☒ (Do not include account numbers.)

Name(s) and address(es) of bank: _____

Present balance(s): \$ _____

Do you own any cash? Yes ☐ No ☒ Amount: \$ _____

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes ☐ No ☒

8. What are your monthly expenses?

Rent: \$ _____ Utilities: _____

Food: \$ _____ Clothing: _____

Charge Accounts:

Name of Account	Monthly Payment	Total Owed on this Account
	\$ _____	\$ _____
	\$ _____	\$ _____
	\$ _____	\$ _____

1 9. Do you have any other debts? (List current obligations, indicating amounts and to
2 whom they are payable. Do not include account numbers.)
3 _____
4 _____
5 _____

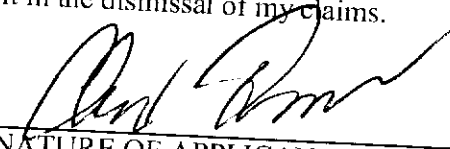
6 10. Does the complaint which you are seeking to file raise claims that have been presented
7 in other lawsuits? Yes ☐ No ☒

8 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in
9 which they were filed.
10 _____
11 _____

12 I consent to prison officials withdrawing from my trust account and paying to the court
13 the initial partial filing fee and all installment payments required by the court.

14 I declare under the penalty of perjury that the foregoing is true and correct and
15 understand that a false statement herein may result in the dismissal of my claims.
16

17 11-14-07
18 DATE


19
20
21
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26
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28
SIGNATURE OF APPLICANT

Case Number: _____

CERTIFICATE OF FUNDS
IN
PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Aly Tambouca for the last six months at San Quentin State Prison where (s)he is confined.

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ 40.96 and the average balance in the prisoner's account each month for the most recent 6-month period was \$ 40.96.

Dated: 1-16-08



[Authorized officer of the institution]

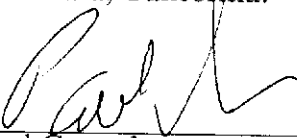
PROOF OF SERVICE

I declare that I am over the age of 18, not a party to this action and my business address is 100 N. Winchester Blvd., Suite 310, Santa Clara, California 95050. On the date shown below, I served the within APPLICATION TO PROCEED IN FORMA PAUPERIS on the following parties hereinafter named by:

X Placing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Santa Clara, California, addressed as follows:

Attorney General's Office
455 Golden Gate Avenue
Suite 11,000
San Francisco, CA 94102-7004
[Counsel for People of the State of
California]

I declare under penalty of perjury the foregoing is true and correct. Executed this February 22, 2008, at Santa Clara, California.



Paul Couenhoven

REPORT ID: TS3030 .701

REPORT DATE: 01/16/08
PAGE NO: 1CALIFORNIA DEPARTMENT OF CORRECTIONS
SAN QUENTIN PRISON
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JUL. 16, 2007 THRU JAN. 16, 2008

ACCOUNT NUMBER : F17B43
ACCOUNT NAME : TAMBOURA, ALY PHILLIP
PRIVILEGE GROUP: A
BED/CELL NUMBER: N 2 000000000150
ACCOUNT TYPE: I

TRUST ACCOUNT ACTIVITY

DATE	TRAN CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
07/16/2007		BEGINNING BALANCE					0.00
09/14*DD34		EFT DEPOSIT O	1037/J-PAY		22.50		22.50
09/20 D320		TRUST FUNDS T	1146CSPCOR		143.75		166.25
09/24 FCO1		DRAW-FAC 1	1193/MAIN3			65.00	101.25
09/28*DD34		EFT DEPOSIT O	1278/J-PAY		22.50		123.75
10/01*DD34		EFT DEPOSIT O	1291/J-PAY		33.75		157.50
10/09*DD30		CASH DEPOSIT	1394MAILRM		31.50		189.00
10/10 W450		DONATION-VETE	1419FDSALE			22.00	167.00
10/15 FCO1		DRAW-FAC 1	1498/MAIN2			40.00	127.00
10/15 FRO1		CANTEEN RETUR	701502			0.20-	127.20
11/06*VD54		INMATE PAYROL	1824/OCT07		5.73		132.93
11/09 W449		DONATION-ARTS	1910FDSALE			49.00	83.93
11/13 FRO1		CANTEEN RETUR	701931			0.95-	84.88
11/13 FCO1		DRAW-FAC 1	1944/M2&3			60.00	24.88
11/26*DD34		EFT DEPOSIT O	2082/J-PAY		33.75		58.63
12/06 W965		REVERSE ARTS	2247REFUND			8.00-	66.63
12/06*VD54		INMATE PAYROL	2245/NOV07		8.32		74.95
12/17 FRO1		CANTEEN RETUR	702402			4.25-	79.20
12/17 FCO1		DRAW-FAC 1	2407/M2ND			20.00	59.20
12/18 W448		DONATION-SQUI	2420FDSALE			39.00	20.20
12/21*DD34		EFT DEPOSIT O	2489/J-PAY		22.50		42.70
12/24*DD30		CASH DEPOSIT	2492MAILRM		54.00		96.70
01/14 FRO1		CANTEEN RETUR	702763			0.20-	96.90
01/14 FCO1		DRAW-FAC 1	2773/MAIN2			55.00	41.90

* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 02/02/06
PENALTY CODE: MONCASE NUMBER: SS032331
FINE AMOUNT: \$ 1,920.00

DATE	TRANS	DESCRIPTION	TRANS. AMT.	BALANCE
07/16/2007		BEGINNING BALANCE		1,338.51

SHORT ID: TS3030 .701

REPORT DATE: 01/16/08
PAGE NO: 2SAN QUENTIN PRISON
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JUL. 16, 2007 THRU JAN. 16, 2008

OCT: F17843

ACCT NAME: TAMBOURA, ALY PHILLIP

ACCT TYPE: I

* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 02/02/06

COUNTY CODE: MON

CASE NUMBER: SS032331
FINE AMOUNT: \$ 1,920.00

DATE	TRANS	DESCRIPTION	TRANS. AMT.	BALANCE
7/14/07	DR34	REST DED-EFT DEPOSIT	25.00-	1,313.51
7/28/07	DR34	REST DED-EFT DEPOSIT	25.00-	1,288.51
8/01/07	DR34	REST DED-EFT DEPOSIT	37.50-	1,251.01
8/09/07	DR30	REST DED-CASH DEPOSIT	35.00-	1,216.01
11/06/07	VR54	RESTITUTION DEDUCTION-SUPPORT	6.36-	1,209.65
12/26/07	DR34	REST DED-EFT DEPOSIT	37.50-	1,172.15
12/28/07	VR54	RESTITUTION DEDUCTION-SUPPORT	9.24-	1,162.91
12/31/07	DR34	REST DED-EFT DEPOSIT	25.00-	1,137.91
12/31/07	DR30	REST DED-CASH DEPOSIT	60.00-	1,077.91

* THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEE CHARGE THAT *
 * IS EQUAL TO TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED. *

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	378.30	336.40	41.90	0.00	0.00

CURRENT
AVAILABLE
BALANCE

41.90



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE.
ATTEST: 1-16-08

CALIFORNIA DEPARTMENT OF CORRECTIONS

BY [Signature]
TRUST OFFICE